

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ZYTAX, INC., §

Plaintiff, §

v. §

CIVIL ACTION NO. H-09-2582

GREEN PLAINS RENEWABLE ENERGY,
INC., §

Defendant. §

ORDER

Counsel for plaintiff has filed a Motion to Compel, (Docket Entry No. 40). The filing of this motion is inconsistent with this court's procedures, which require the following:

Any party wishing to make any discovery motion should arrange for a conference with the court before the preparation and submission of any motion papers. Call, fax, or e-mail Mrs. Eddins at Lisa_Eddins@txs.uscourts.gov at any time to arrange for a premotion conference and notify your adversary of the date and time fixed for the conference, subject to the availability of opposing counsel. The fax number is (713) 250-5213. To the extent that the proposed motion can be disposed of upon oral presentation at the conference, this will be done. If papers are necessary, the issues to be addressed and a schedule for the briefs will be defined in the conference.

This motion is stricken. A premotion conference is set for **January 18, 2011, at 5:00 p.m.**, in Courtroom 11-B, to address the subject matter of the motion.

SIGNED on December 23, 2010, at Houston, Texas.



Lee H. Rosenthal
United States District Judge